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7, 2007

David R. Saliwanchik, Patent Attorney

INFORMATION DISCLOSURE STATEMENT Patent Application Docket No. SPO-129 Serial No. 10/593,550

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner

Not yet assigned

Applicants

Hisae Kume, Hajime Sasaki

Serial No.

10/593,550

Filed

September 19, 2006

Conf. No.

Not yet assigned

For

Antibacterial Composition

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§1.97 AND 1.98

Sir:

The patent application referred to above was filed in the U.S. Patent Office as a national application under 35 USC §371. A copy of the International Search Report is enclosed for the Examiner's convenience. Applicants have also listed on Form PTO/SB/08 several references which have not been cited in the International Search Report. Copies of these documents are enclosed within.

References F1-F9 and R6 were cited in the International Search Report and are also in a foreign language; however, to meet the duty of disclosure, the applicants have also included a copy of the International Search Report showing the relevancy of each of these cited references. Furthermore, F1-F9 and R6 were also cited in the International Preliminary Report on Patentability 2

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(IPRP) and the Written Opinion (WO). Also enclosed are English translations of the IPRP and the WO.

Please note that references Moriji (R3) and Nakae (R4) are not in English; however, attached are their English translations.

In accordance with 37 CFR §1.56, Applicants hereby request that the references cited in the International Search Report and listed on the attached form PTO/SB/08 be made of record and considered in the examination of the subject application.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,

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Enclosures:

Form PTO/SB/08 (2 pages)

Cited references (14)

International Search Report

International Preliminary Report on Patentability

Written Opinion

PTO/SB/08A (07-05) Approved for use through 07/31/2006 Complete if Known Substitute for form 1449/PTO INFORMATION DISCLOSURGYPE Application Number 10/593,550 **P**iling Date September 19, 2006 STATEMENT BY APPLICANT First Named Inventor Hisae Kume APR 2 0 200 Apply Unit (use as many sheets as necessary) Not yet assigned *⊈*y∕aminer Name Not yet assigned ES TRADEMA of Sheet Attorney Docket Number SPO-129

	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. 1		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	U2	US-			
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
***	U7	US-			
	U8	US-			
	U9	US-			
	U10	US-		-	
	U11	US-			
	U12	US-			
	U13	US-			

		FOREIGN	PATENT DOCL	JMENTS		
Examiner Initials*	Cite No. 1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
	F1	JP 59-187734 A	10-24-1984	Haraguchi et al.	All	
	F2	JP 60-016931 A	01-28-1985	Ueda et al.	All	
	F3	JP 64-20057 A	01-24-1989	Matsunami et al.	All	
	F4	JP 3-285641 A	12-16-1991	Kageyama et al.	All	
	F5	JP 5-252896 A	10-05-1993	Arima et al.	All	
	F6	JP 6-98717 A	04-12-1994	Arima et al.	All	
	F7	JP 7-155103 A	06-20-1995	Nagai et al.	All	
	F8	JP 9-70256 A	03-18-1997	lwasaki et al.	All	
	F9					
	F10					
	F11					
	F12					

Examiner 05/21/2010 Signature	Date Considered	05/21/2010
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08B (07-05)

Approved for use through 07/31/2006. Complete if Known Substitute for form 1449/PTO **Application Number** 10/593,550 INFORMATION DISCLOSURE Filing Date September 19, 2006 STATEMENT BY APPLICANT **First Named Inventor** Hisae Kume Art Unit Not yet assigned (use as many sheets as necessary) Not yet assigned **Examiner Name** Sheet Attorney Docket Number SPO-129 2 of 2

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	R1	GOEPFERT, J. M. et al., "Behavior of Salmonellae in Sliced Luncheon Meats," Applied Microbiology, January 1970, pages 190-192, Vol. 19, No. 1.	
	R2	KAWAI, Y. et al., "Gassericin A; an Uncommon Cyclic Bacteriocin Produced by Lactobacillus gasseri LA39 Linked at N- and C-Terminal Ends," Biosci. Biotechnol. Biochem., December 1998, pages 2438-2440, Vol. 62, No. 12.	
	R3	MORIJI, T., Internet Article: Nyusankin no Kino wo Ikashita biopreservation (Biopreservation utilizing the functions of lactic acid bacteria) http://www.nyusankin.or.jp/scientific/moriji_1.html.	*
	R4	NAKAE, T., Nyu Niku Tamago No Kagaku (Science of Milk, Meat and Egg), 1986, pages 132-137.	*
	R5	SHAH, N., "Some Beneficial Effects of Probiotic Bacteria," <i>Bioscience Microflora</i> , May 2000, pages 99-106, Vol. 19, No. 2.	
	R6	SUGAMATA, A. et al, "Atarashii Yogurt-Honey (Y-H) Seizai YH8280 no Shiyo Keiken," Nessho, March 1984, pages 25-30, Vol. 9, No. 2.	
	R7		
	R8		-
	R9		
	R10		

Examiner	/Philip Duboic/	Date	05/21/2010
Signature	/Pillip Dubois/	Considered	03/21/2010

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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Applicant's unique citation designation number (optional).

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This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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